



POLICY AND PROCEDURE MEMO

SUBJECT: SMOKE FREE WORKPLACE

NO. 4.002
DATE 06/13/01

AMENDED 04/05/06
4-5-13 Approved

[Signature]
CITY MANAGER

I. STATEMENT:

- The State of New Hampshire RSA 155:64-77 prohibits smoking in all publicly owned buildings in order to protect the health and safety of the public and City employees.
- The City of Rochester prohibits smoking in all publicly owned buildings, within 30 feet of any publicly owned building or public park, municipal worksite or construction zone and in City vehicles and equipment. Personally owned vehicles (POV) that are engaged in City business shall be subject to the same rules and regulations of this policy.

II. DEFINITIONS

- "Publicly owned buildings" facilities owned, leased or rented by the City.
- "City vehicles and equipment": any car, truck, or other piece of equipment designated to transport employees or to perform work.
- "Personally Owned Vehicle (POV)": any car, truck or other piece of equipment engaged in City business.
- "Employee": any person actively employed by the City for compensation or volunteers.
- "Smoking" means having in one's possession a lighted cigarette, cigar, pipe or any device designed to produce the effect of smoking.

III. NOTICE

- Signs shall be appropriately placed in all buildings and facilities regulated under this policy. Such signs shall state the smoking restrictions applicable to the publicly owned buildings in accordance with state law. The absence of signage does not negate compliance with the City's smoke free policy.
- A written copy of this policy shall be provided to, or posted or otherwise made available to all employees of the City.
- Employees subject to this policy shall receive orientation regarding the policy to which they are required to adhere.

IV. ENFORCEMENT AND PENALTIES

- Any person found in non-compliance with this policy shall be subject to prosecution in accordance with applicable laws and or subject to disciplinary action in accordance with the collective bargaining agreement or non-union policy.

-END OF PROCEDURE-